IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.W.P.NO.2770 OF 2005

Ramdas Baburao Vashenikar ..Petitioner

Vs.

The State of Maharashtra ..Respondent

....

Mrs.Pranali Kakade Advocate (appointed) for Petitioner
Smt.U.V.Kejariwal, A.P.P. for State

....

CORAM: D.G.DESHPANDE AND SMT.V.K.TAHILRAMANI,JJ.

DATE : APRIL 10,2006

ORDER ORDER : (PER SMT. V.K.TAHILRAMANI,J):

1. Heard learned advocate for the petitioner and learned A.P.P. for the State. Rule. By consent, rule is heard forthwith.

2. The petitioner had preferred application for furlough. The said application for furlough came to be rejected on the ground that if the petitioner is released on furlough, he would threaten the witnesses. As far as this apprehension is concerned, there is no material on record that petitioner at any time, had threatened any of the

witnesses. Moreover, the learned A.P.P. could not point out any material on the basis of which such a conclusion was reached. Thus, we find this apprehension to be unfounded.

3. The petitioner be released on furlough in accordance with the usual terms and conditions. In addition thereto, the petitioner shall inform the address at which he will reside during the period that he is on furlough. He will report to the nearest police station to that address on every alternate day during the period that he is on furlough.

4. Rule made absolute in the above terms. Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]